



**CITY OF KINGSTON PLANNING BOARD
MEETING MINUTES
July 13, 2015
Common Council Chambers – 6:00 PM**

NOTES: (1) These meeting minutes are a summarization of notes and not an absolute transcript of dialogue. (2) All public hearings were conducted prior to the Planning Board discussions with the applicant(s) and any comment received is included within the written section of the minutes. (3) In the absence of full Planning Board Members, or in the case of a necessary abstention, the Planning Board Alternates will participate in the vote in order of seniority.

A meeting of the City of Kingston Planning Board was held on July 13, 2015 in the Common Council Chambers at Kingston City Hall, 420 Broadway, Kingston, New York. The meeting was called to order at 6:00 PM by Vice-Chairman John Dwyer.

BOARD/ALTERNATE MEMBERS PRESENT: John Dwyer Jr, Vice Chairman, Charles Polacco, Jonathan Korn, William Tubby, Mary Jo Wiltshire and Jamie Mills.

BOARD/ALTERNATE MEMBERS ABSENT Wayne D. Platte, Jr., Chairman and Robert Jacobsen.

OTHERS: Suzanne Cahill, Planning Director, Kyla Haber, Assistant Planner, Ald. Brad Will, Common Council Liaison.

GENERAL NOTES:

1. Pledge of Allegiance
2. Introduction of all Board Members and Staff Present
3. Identify exits, bathrooms, no elevator in case of emergency
4. Silence cell phones, conversations should be taken out of room
5. Respect speakers

REGULAR BUSINESS:

Item #1: Open Public Speaking (6:00P.M. – 6:15 P.M.)

Item #2: Adoption of the June 8, 2015 Planning Board minutes.

Discussion: Vice-chairman Dwyer asked the Board if they had time to review the minutes and if they had any question. The Board agreed that they reviewed the minutes and had no issues.

Decision: The Board voted unanimously to approve the June 8, 2015 minutes. (JD, CP, MW, JK, JM – yes)

PUBLIC HEARINGS:

Item #3: #9-23 & 23 Rondout Street & 200 2nd Avenue LOT LINE REVISION of the lands of Frederick T. Cadden. SBL 48.83-6-21, 22.100 & 20. SEQR Determination. Zone RR. Ward 7. Frederick Cadden; applicant/owner.

Discussion: No one spoke at the public hearing. Fred Cadden was present at the meeting. The purpose of the lot line revision is to allow the owner to sell a legal sized lot with a single family home on it to the person that currently rents the home.

A map was submitted, drawn by Heidecker Land Surveying dated May 27, 2015. The property owner has three contiguous lots. The portion of the lot he wishes to sell contains a 2 story home, a shed, and a garage. In order for this new lot to meet the zoning requirements, he is looking to take a 27' x 76' piece of property from 9-23 Rondout Street and add it to the 23 Rondout Street lot. Lastly, the portion of the lot with the two existing sheds (roughly 80'x 50') will be added to the 200 2nd Avenue lot. The lot line revision will not change the overall number of lots.

K. Haber explained that she spoke with the surveyor and told him that the maps will need to be revised to include metes and bounds descriptions for each of the properties that will be experiencing a change.

The Board advised the applicant that the lot line revision does not become final until it is filed with the Ulster County Clerk. The Ulster County Real Property Tax Agency will not make changes to the City's assessment maps until the map and new deeds are filed.

Written descriptions will need to be submitted for review and approval.

Board Policy #6 will need to be signed by the owner.

Decision: The Board voted unanimously to render a negative declaration of environmental significance and to approve the lot line revision with the following conditions: update map to include metes and bounds descriptions for all three lots experiencing boundary changes, 5 paper copies and 1 mylar copy submitted for the Board Chairman's signature, and Board Policy #6 – owners signature on final maps. (JD, JK, MW, CP, JM – yes)

Item #4: #275, 285-291 & 307 1st Avenue LOT LINE REVISION of the Lands of Shawn McDermott & Edward Lattin. SBL 48.83-3-8, 4.100 & 37.11. SEQR Determination. Zone RR. Ward 7. Shawn & Barbara McDermott & Edward Lattin; applicants/owners.

Discussion: No one spoke at the public hearing. Shawn McDermott and Christopher Zell, land surveyor, were present at the meeting. C. Zell explained that the lot line revision has two purposes. The first is to convey a portion of land owned by Edward Lattin to Shawn & Barbara McDermott. The second is to combine two lots owned by Edward Lattin into one.

A “Map of Lot Line Revision” drawn by Christopher Zell, P.C, date June 15, 2015, was presented to the Board. The map shows a .110 acre piece of vacant property owned by Edward Lattin containing a gravel driveway will be combined with the lot owned by Shawn McDermott. The resultant parcel will be .838 acres.

The map also shows two lots owned by Edward Lattin, one containing a house and the other being the remainder of the vacant land divided for conveyance to S. McDermott, being combined into one. The resultant parcel will be .826 acres

Staff informed the Board that both parcels far exceed the lot and bulk requirements for the RR zone (75' x 100') and that the conveyance of the gravel driveway from Lattin to McDermott will not impact the parking for either structure. Both houses contain a garage and driveway.

The applicant was advised that the lot line deletion does not become final until it is filed with the Ulster County Clerk. The Ulster County Real Property Tax Agency will not make changes to the City's assessment maps until the map and new deeds are filed.

Written descriptions will need to be submitted for review and approval. 5 paper copies and 1 mylar copy will need to be submitted for the Board Chairman's signature. The maps submitted for signature should all be signed by the property owner(s).

Decision: The Board voted unanimously to render a negative declaration of environmental significance and to approve the lot line revision with the following conditions: 5 paper copies and 1 mylar copy submitted for the Board chairman's signature, written descriptions for the resultant parcels, and Board Policy #6 – owners signature on the final maps. (JD, MW, CP, JK, JM – yes)

Item #5: #131 Clifton Avenue & 116 Abbey Street LOT LINE REVISION of the Lands of Thomas Reinhardt and Steven & Linda Lowe. SBL 48.82-6-53 & 47.100. SEQR Determination. Zone R-1. Ward 7. Thomas Reinhardt and Steven & Linda Lowe; applicants/owners.

Discussion: No one spoke at the public hearing. Chris Zell, land surveyor, was present at the meeting to represent the applicants.

A map of Lot Line Revision between the Lands of Steven W. & Linda M. Lowe and Thomas J. Reinhardt, drawn by Christopher Zell, PC, dated June 11, 2015, was presented to the Board for their consideration.

C. Zell explained that the purpose of the lot line revision is for each landowner to swap a small triangular piece of property to allow for utilities for 116 Abbey Street and a driveway for 131 Clifton Avenue to be wholly on the correct parcels. Reinhardt will convey a .04acre piece to Lowe, while Lowe will convey .05 to Reinhardt. C. Zell stated that the current lots come to a point and that this revision will straighten the lot lines out.

The resultant lots meet the requirements for the R-1 zone. Written descriptions will need to be submitted for review and approval. Staff told the Board and the surveyor that the metes and

bounds descriptions for the Reinhardt property is not shown on the plans. They will need to be added for the final plans.

5 paper copies and 1 mylar copy will need to be submitted for the Board Chairman's signature. C. Zell is aware that the lot line deletion does not become final until it is filed with the Ulster County Clerk. The Ulster County Real Property Tax Agency will not make changes to the City's assessment maps until the map and new deeds are filed.

Decision: The Board voted unanimously to render a negative declaration of environmental significance and to approve the lot line revision with the following conditions: final maps to show metes and bounds descriptions for both properties, written descriptions submitted for staff review, 5 paper copies and 1 mylar submitted for signature, and Board Policy #6 – signature on final maps by the owner. (JD, JM, MW, CP, JK – yes)

Item #6: **#12 & 14 Thomas Street & 564 Broadway** LOT LINE DELETION of the Lands of Matteo-Bella, LLC. SBL 56.25-4-16.10, 16.20, 20. SEQR Determination. Zone C-2. Ward 5. Matteo-Bella; applicant/owner.

Discussion: No one spoke at the public hearing. Michael Vetere, land surveyor, was present at the meeting to represent the applicant.

The lot line deletion will combine three parcels under the same ownership into one. A Map of Lot Line Deletion, drawn by Michael Vetere, LS, PLLC, dated May 7, 2015 was presented to the board. The parcels consist of two structures and a piece of vacant land. The Board familiarized themselves with the three parcels: 14 Thomas Street contains the mixed use building that houses "Frank Guido's Little Italy" and 6 apartment units; 12 Thomas Street contains a vacant structure previously occupied by RJ's Bar; and 564 Broadway is a vacant parcel on the corner of Broadway and Thomas Street which contains a freestanding sign for the "Little Italy" restaurant. The combined parcel will be .190 acres, 8291sf. There are no minimum size requirements for the C-2 zone.

The purpose of the deletion is to allow for future expansion of the restaurant use into the 12 Thomas Street structure. Plans for the expansion have not been submitted at this time. The Board asked what the expected timeline is for submission of future site plan documents to expand the business. M. Vetere called Scott Dutton, project architect, to the table to speak to this question. S. Dutton stated that they had originally expected to present a site plan at the July meeting but now they are looking at submission for the September meeting.

The surveyor is aware that the lot line deletion does not become final until it is filed with the Ulster County Clerk. The Ulster County Real Property Tax Agency will not make changes to the City's assessment maps until the map and new deeds are filed.

Written descriptions will need to be submitted for review and approval. The maps submitted for signature should all be signed by the property owner(s).

Decision: The Board voted unanimously to render a negative declaration of environmental significance and to approve the lot line revision with the following conditions: written

descriptions submitted for staff review, 5 paper copies and 1 mylar submitted for signature, and Board Policy #6 – signature on final maps by the owner. (JD, JM, MW, CP, JK – yes)

Item #7: #76 Prince Street SITE PLAN/SPECIAL PERMIT to convert office/warehouse space to an art studio & gallery with a residence on the 2nd floor. SBL 56.26-9-2.2. SEQR Determination. Zone C-3. Ward 5, MUOD. Aaron Renzy; applicant/owner.

Discussion: No one spoke at the public hearing. Aaron Rezny, owner, and Joyce Beymer, realtor, were present at the meeting. The application is to convert the office/warehouse space formerly occupied by Welsh Industrial to an art studio and gallery with a residence on the 2nd floor. The interior of the building will be completely renovated.

The ground floor will be a photo studio for the owner who is a well-established food and fine arts photographer. His studio work will include preparation and cooking of food and photographing the final product for restaurants, advertising, etc. The owner stated that he also plans to have gallery space which would be available for local and national photographers to exhibit and sell their work.

The plans show that a large prep kitchen will be installed along the wall of the ground floor. Skylights will be added to bring natural light into the space.

The 2nd floor will house a loft style apartment. The unit will be an open floor plan with a separate bathroom and laundry.

The Board asked if this will be occupied by the owner or a tenant. A. Rezny stated that he will be looking for a tenant for the space. Staff explained that because the unit is not owner occupied, it will need to be registered with the Building Safety Division.

Staff questioned whether there will be any signage on the building. A. Rezny stated that he has no plans for signage at this time. He may consider a small sign in the future with just his name and address. The applicant was made aware that signage should be submitted to staff for review prior to installation.

The owner stated that there approximately 12 off street parking spaces in the rear of the building. There is no need for a waiver or a variance for the use

The Board discussed a term for the special permit, explaining to the owner that renewal is required due to the location of the property in the Mixed Use Overlay District. The zoning code requires that the initial permit be issued for a maximum of 1 year. After that the Board can extend the permit as deemed appropriate. The Board agreed to issue a 1 year term.

Decision: The Board voted unanimously to issue a negative declaration of environmental significance and to approve the site plan/special permit for an artist studio/gallery and a 2nd floor apartment for a period of one year to expire on July 13, 2016 with the following conditions: landlord registration to be filed with the Building Safety Division, and signage details to be submitted to staff when determined, as well as Board Policies: #6 – Signature by the owner, #11

– signage in windows limited to 20%, and #22 – carbon monoxide detectors as per NYS law. (JD, JM, CP, CP, JK – yes)

Item #8: #20 Cedar Street SITE PLAN/SPECIAL PERMIT to demolish the existing commercial building and construct mixed use, multi-story building. SBL 56.109-4-2.100. SEQR Determination. Zone O-2, Mixed Use Overlay District. Ward 4. RUPCO/applicant; Ferraro Mid City Lanes/applicant.

Discussion: Vice-chairman John Dwyer advised the Board that the applicants would be presenting the project prior to the public hearing.

Kevin O'Connor, Executive Director for RUPCO, began the presentation by explaining the expected breakdown of the affordable housing. They expect 15% of the units to be eligible for up to 90% of the median income (\$47,000-\$67,000 for families of 1-4) and the remainder of the units would be for families of 1-4 earning up to 60% of the median income (\$30,000-\$45,000).

K. O'Connor stated that the commercial space would actually be for local civic organizations and that it would not compete with existing commercial space. The Center for Creative Education's need for additional space was one of the driving factors behind this project and they would be a significant tenant. They have outgrown the space they are in. Hudson Valley Tech Meet-up and UC Community Action are also planned tenants of the commercial space.

K. O'Connor stated that this project would pay roughly double the taxes that the bowling alley paid on the building. He added that there will be an informational meeting on July 22nd at the Kingston Library where residents are welcome to come and ask questions about the project.

Scott Dutton expressed his family's commitment to midtown. He noted the current population trend whereby people are moving from the suburbs back to the city centers. He pointed out that the current owner, David Ferraro, was present at the meeting and that he and his family have had the former bowling alley on the market for 10 years. The bowling alley has been vacant for a year.

S. Dutton presented new rendering for the building from various viewpoints. He explained that his office has been working on adding more façade details including recessed entranceways and window details. He also presented a new plan for a section of City of Kingston property along Greenkill Avenue. He explained that the area is between Greenkill Avenue and the railroad tracks and that it is already impervious. RUPCO has agreed to include a design for an improved parking area and connection to the rail trail network in this area. The parking lot could be used for UPAC, the residents in the neighborhood, rail trail access, or the resident and visitors to this project.

Vice-Chairman John Dwyer opened the public hearing. He advised the audience that each speaker will be allotted a maximum of 2 minutes to speak to allow time for all speakers.

Pat Courtney-Strong – works with NYSEDA and is a huge supporter of this project. She worked with the Midtown Business District to create design standards and this is the first

building to actually implement the guidelines on a new construction project. Net-zero for living is so important and will have a big impact and forward momentum.

Willie Lennon – 115 Franklin Street – Is thrilled by the project but like the Petit House would like to see home ownership. He would like to see residents own the property with RUPCO managing the property. He drives a van for UARC after having retired from his career. He would like to see diversity in the building, more than just the way it looks. More 2 & 3 bedroom units would allow for small families, single parents, grandparents taking care of their grandchildren. Also, the park space is a beautiful idea but how often would neighbors get to use it. Would it be open to the public always or only periodically?

Nina Dawson – Alderwoman of the 4th Ward and had once been liaison to the Planning Board – Midtown went through a rough time but now everyone is interested in midtown. There are many positive things happening. She was happy to hear that RUPCO was planning to have a public meeting at the library on the 22nd and she encourages people to come. This project touches on many important levels including affordable housing. Some people spend most of their income on rent. To be able to spend only 30% of your income on rent is an awesome opportunity. Residents will have money to spend on food, clothing, and improved quality of life. This is an amazing project.

Jordan Scruggs – Associate Pastor with the United Methodist Church and involved with Midtown Rising – Has some questions and concerns about this project. Will there be a Project Labor Agreement? On the job training is important and could mean a lot to local resident to be able to train and work on this project. Also, she would like RUPCO to consider adding more 3 & 4 bedroom units for families.

Donald Hines – 73 W. Union Street – He likes the project but the City needs to start thinking about population growth and the future of the City. Will this project be forever owned by RUPCO and will it forever remain affordable housing. Many times these projects sell and the focus changes. Thought needs to be given to keeping people in their homes and in their city.

Bryant “Drew” Andrews – Center for Creative Education at 15 Railroad Avenue – Came into the meeting with the mindset of “us vs. them” but sees it different after hearing and seeing the speakers in the room. This is needed and there isn’t even a question. He speaks for the CCE, the Hodge Center, and the Boys & Girls Club. This is positive.

Lenox Peters – 20 VanBuren – Graduated from Kingston High School and attended 1 year at Ulster County Community College. The Center for Creative Education offered him a lot of opportunities to learn to cooperate with adults, grow as a person, and improve himself.

Ervv Mann – Center for Creative Education – Is in support of the project. Wanted to speak to thank all the young people for coming out to speak about this project.

Mike Lamery – Ulster County Community Action – He loves the project. UC Community Action would like to create an organic café, grocery store and catering business. They would likely hire 8-10 people. The grocery would have a dual payment system so that people who need could pay a no profit price. The area has been identified as a food desert and this could fill a

need in the neighborhood. They would work with the BOCES STEM (science, technology, engineering, mathematics) program to create a learning experience.

Richard Frumass – Owns R&F Paints on Tenbroeck Avenue – He looks at this as a continuum of the Lace Factory which turned an almost abandoned building into a concentration of artists. RUPCO has shown a track record. He has been pushing for an Arts District but one of the downsides could be the gentrification of the neighborhood. This project could help by keeping the apartments affordable. His concern would be the long term ownership of the building. This should be seriously considered.

Jennifer (could not hear her last name) – Is a resident and a mother of 3 children with a yearly income of \$20,000. She is very proud of the Lace Factory in her City and the care that was put into that building. To have such a beautiful building be affordable is something to be proud of. She is the mother of children in the CCE dance group and they have become like a family to her and her children. Her kids give back to their community and have learned how important it is to give back.

Nikita Menin – Is not a City resident, but an intern with the City Planning Department. Sees the importance of home ownership and the importance of the food co-op. Sometimes food co-ops offer discounts in return for volunteer time, this may be something to consider. A community council could be formed out of many of the people in this room. It is important that these voices don't go away after this project is decided. This could be a model for others.

Marge Knox – Has been a resident of Henry Street since the 3rd grade. This project is much needed. She has two grown children and 10 grandchildren. She is invested in Kingston, she has thought about leaving but her family keeps her here. Working families can't always afford to pay rent and buy food and other necessities. She hopes for more jobs in the area. There should be safeguards to keep the building safe so it doesn't become a drug infested project. She hopes it is a place where decent, working people can live and afford to stay.

Mark Reiker – Worked in the City of Kingston Building Department for 35 years and owns a building on Cedar Street. What needs to happen in this area is the economics needs to change. There should be a pedestrian bridge over the railroad tracks. There should also be a bus station in the center of midtown to bring people in.

DJ Mapes – This is something that people really need. You need opportunities for young people around here. The CCE offers opportunities. Growing up here you hear a lot of negative things, the CCE is a positive place.

Meredith Robin McCord – holds a position at the CCE – The children of CCE are a family. This project is so important and so special because it allows us to talk to our children and make them proud of their City. We can teach them about the importance of solar energy and green building. We can explained to them that this building will result in an increased population that will live in the City and that more people will walk and eat and live in midtown.

N. Mohammad – 19 years old – When he graduated high school he thought he would move away. He is going to go to school and looks at this project as something that he could come back and see and be proud of.

Maya Gordon – Wanted to speak because she saw that there were a lot of kids in the room but that not a lot of them were speaking. Bad things happen in the world today like the shooting at the church bible study. She does not want to be afraid. She wants to see a place where there are no drugs, guns, rapes, loud music and disrespectful people.

Vice-Chairman John Dwyer asked the crowd if anyone else wanted to speak. J. Dwyer closed the public hearing. However he did explain that written public comment would be accepted for 2 additional weeks, making the deadline July 27, 2015.

S. Cahill explained that the Planning Board adopted a resolution on May 11, 2015 to seek Lead Agency for the SEQR review. Circulation to all Involved and Interested was accomplished on May 13th, 2015. By statute, agencies had 30 days to respond. Since the circulation there have been no contrary responses. The Planning Board was given a copy of a resolution prepared by staff for the Board's consideration to declare Lead Agency status. The Board reviewed the resolution.

Decision: The Board voted to adopt a resolution declaring the City of Kingston Planning Board as Lead Agency in the SEQR review. Staff will circulate the resolution to all involved and interested agencies. The application will be referred to the Ulster County Planning Board for review. (JD, JM, MW, CP – yes; JK – abstain)

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